

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VENTANA MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

DAKOCYTOMATION CALIFORNIA INC.,

Defendant.

Civil Action No. 04-1522-GMS

**DECLARATION OF PETER H. CHANG IN SUPPORT OF PLAINTIFF VENTANA
MEDICAL SYSTEMS, INC.'S ANSWERING BRIEF IN OPPOSITION TO
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

I, Peter H. Chang, declare:

1. I am an attorney with the law firm of Wilson Sonsini Goodrich & Rosati, PC, counsel of record for Plaintiff Ventana Medical Systems, Inc. ("Ventana"), in the above-referenced matter. I have personal knowledge of the facts stated herein and would competently testify thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent Number 6,827,901.

3. Attached hereto as Exhibit 2 is a true and correct copy of pages from the Deposition of Scott Leon from *Ventana Med. Sys., Inc. v. DakoCytomation California, Inc.*, Case No. 04-1522 (D. Del.), dated January 6, 2006.

4. Attached hereto as Exhibit 3 is a true and correct copy of pages from the Expert Report of Dr. William L. Manion from *Ventana Med. Sys., Inc. v. DakoCytomation California, Inc.*, Case No. 04-1522 (D. Del.), dated February 1, 2006.

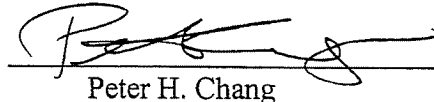
5. Attached hereto as Exhibit 4 is a true and correct copy of U.S. Patent Number 3,854,703.

6. Attached hereto as Exhibit 5 is a true and correct copy of pages from Defendant's First Supplemental Responses to Plaintiff's First Set of Interrogatories, served in this case on or about January 30, 2006.

7. Attached hereto as Exhibit 6 is a true and correct copy of a Preliminary Amendment dated May 2, 2002, from Patent Application 10/137,169.

8. Attached hereto as Exhibit 7 is a true and correct copy of *ACLARA BioSciences Inc. v. Caliper Techs. Corp.*, No. C99-1968 CRB, 2000 WL 1639507 (N.D. Cal. Oct. 27, 2000).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 29th day of March 2006, in Palo Alto, California.


Peter H. Chang

CERTIFICATE OF SERVICE

I, Richard H. Morse, hereby certify that on March 30, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing to the following counsel of record:


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I further certify that on March 30, 2006, I caused a copy of the foregoing document to be served by hand on the above-listed counsel and on the following non-registered participant in the manner indicated:

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